

# **KENTUCKY BOARD OF PRIVATE INVESTIGATORS**

**June 14, 2012**

## **MINUTES**

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Office of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on June 14, 2012.

### **MEMBERS PRESENT**

Mary Cope Halmhuber - Citizen at Large  
Nicole H. Pang- The Office of Attorney General  
Tracy J. Watwood - Police Officer  
Daniel Triplett - Private Investigator  
Sheriff Kathryn H. Witt

### **MEMBERS ABSENT**

John L. Logdon, Private Investigator

### **OCCUPATIONS AND PROFESSIONS**

#### **STAFF**

Carolyn Benedict, Board Administrator  
Tony Crockett, Board Administrator  
Susan Ellis, Operations Section Supervisor  
Courtney Bourne, Executive Director  
Deb Day, Administrator Section Supervisor

### **PPR CABINET**

Peter Ervin, General Counsel

### **BOARD COUNSEL**

Angela Evans, Office of the Attorney General

### **CALL TO ORDER**

Ms. Pang called the meeting to order at 1:20 p.m. The board's new administrator, Carolyn Benedict, was introduced.

### **APPROVAL OF MINUTES**

The minutes of May 3, 2012 regular meeting were approved. A motion was made by Mr. Logdon to approve the minutes. The motion was seconded by Ms. Halmhuber and carried unanimously.

### **BOARD MONTHLY FINANCIAL REPORT**

The Board reviewed the Financial Report for the month ending May 31, 2012.

### **LICENSURE STATUS REPORT**

The Board reviewed the Licensure Report dated for June 13, 2012. Ms. Benedict was asked to revise the licensure status report to include statistics from the previous year.

### **ATTORNEY'S REPORT/LEGAL MATTERS**

Ms. Evans reported that O&P staff had been unable to locate the final electronic version of the revised applications. However, the hard copies were available. Therefore, the electronic versions will have to be re-created.

### **NEW BUSINESS**

The board reviewed a renewal application that had indicated having been convicted of misdemeanor DUI since the last renewal period. Ms. Benedict was asked to request him to send a written explanation of the offense for the board to review.

### **COMPLAINT COMMITTEE REPORT**

09-004 - Ongoing

2010-07 – Mr. Crockett to mail a letter to the complainant stating the cease and desist letter sent to the licensee was not deliverable.

2012-01 – Committee recommended dismissal. No violation of law found.

Mr. Watwood made a motion to accept the committee's recommendation. Motion, seconded by Mr. Triplett, carried unanimously.

**APPLICATION REVIEW COMMITTEE REPORT**

Seven applications for individual license were reviewed to sit for the exam. Six were approved and one was deferred.

Three company licenses were approved.

Nine temporary registrations were reviewed. Ms. Benedict was asked to send a letter to Mr. Winkler informing him that he was to immediately cease and desist because he was in excess of 240 hours in a one year period. A copy of the letter was also to be sent to the company.

**REPORT FROM THE OFFICE OF OCCUPATIONS AND PROFESSIONS**

The Memorandum of Agreement (MOA) between the Office of Occupations and Professions (O&P) and the board was brought forth for discussion again. The board expressed their concerns with what they felt was such a significant increase of administrative fees to be paid to O&P. In 2009-2010 the board was told by O&P that they had been being overcharged and fees were decreased. Board members felt that O&P was now "back pedaling" which added to their frustration and confusion. The point was also made that everyone in government was being asked to cut their budgets and it seemed as if O&P was increasing theirs. The board was concerned that the increase could lead to higher fees being charged to licensees. Ms. Bourne reminded the Board that O&P has no control over this budget and therefore, the fees were non-negotiable. She also said that if the MOA isn't signed the administrative fees for the first quarter will still be taken and service will be provided. The board was also told that if they chose to leave O&P, and the administrative fees had already been paid, a refund would be pro-rated.

Ms. Pang called for a motion to accept to MOA, none was made. She then called for a motion not to accept the MOA, no motion was made.

Ms. Pang recommended that the board allow her to execute the MOA. There was a 30 day opt out clause and signing it did not obligate the board to stay. Based upon that, Mr. Triplett made a motion to accept the MOA as written and explore other options. Ms. Halmhuber seconded the motion. The motion was approved with 3 voting in favor and 2 abstentions.

**TRAVEL AND PER DIEM**

A motion was made by Mr. Triplett to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. The motion was seconded by Ms. Halmhuber and carried unanimously.

**ADJOURNMENT**

Ms. Pang informed the Board that the next meeting is scheduled for Thursday, July 5, 2012 at 1:00 p.m., the Application Review Committee Meeting at 10.00 a.m. Having no further business to be brought before the Board, a motion was made by Ms. Halmhuber to adjourn. Motion seconded by Mr. Triplett and carried unanimously. The meeting adjourned at 3:10 p.m.

Approved

September 6, 2012